

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA, WESTERN DIVISION

IN RE:

BEAL, CEDRIC J.,

SSN xxx-xx-8485,

BEAL, CATHY,

SSN xxx-xx-5301,

Debtor.

CASE NO: 02-72438-CMS-13

**ORDER ON MOTION FOR RELIEF FROM AUTOMATIC STAY FILED
BY GMAC MORTGAGE CORPORATION**

This matter coming before the Court on the Motion for Relief from Automatic Stay filed by GMAC MORTGAGE CORPORATION (hereinafter "Creditor"), and this Court being informed of the agreement of the parties hereto, it is therefore **ORDERED, ADJUDGED AND DECREED** as follows:

1. The Creditor shall file a claim for the post-petition arrearage through February, 2003 plus the attorney fees and costs in connection with Creditor's Motion for Relief from Stay. The arrearage is as follows:
2 payments @ \$615.71 for 12/03 through 01/04: \$1,231.42
2 late charges @ \$24.63 for 12/03 through 01/04: \$ 49.26
Attorney Fees and Costs: \$ 575.00
Total: \$1,855.68
2. The Chapter 13 plan payments are hereby changed to 435⁰⁰ per mc.
3. The fixed payment to the Creditor is hereby 55⁰⁰ per month.
4. The Motion for Relief from Stay filed by GMAC MORTGAGE CORPORATION is hereby conditionally denied. However, should the Debtor fail to make any payment within thirty days from its due date beginning February, 2004, the Motion for Relief from Stay is granted without further order of the Court.

Done this the 25 day of February, 2004.


United States Bankruptcy Judge


AGREED TO AND APPROVED:

DATED this 10th day of Feb, 2004.



SUSANNAH WALKER

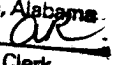
Attorney for Creditor
SIROTE & PERMUTT, P.C.
2311 Highland Avenue South, Suite 500
Birmingham, Alabama 35205
Telephone: 205/930-5424

DATED this 12th day of Feb., 2004.


JOHN EDWIN BOCKMAN
Attorney for Debtors
Bockman & Bockman
2417 12th Street
Tuscaloosa, AL 35401-2831

DATED this 12th day of Feb., 2004.


C. David Cottingham
P.O. Drawer 020588
1307 25th Avenue
Tuscaloosa, AL 35402

ENTERED 2-26-04
United States
Bankruptcy Court
Tuscaloosa, Alabama
By: 
Deputy Clerk

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 1126-7
Case: 02-72438

User: aredding
Form ID: pdf000

Page 1 of 1
Total Served: 6

Date Rcvd: Feb 26, 2004

The following entities were served by first class mail on Feb 28, 2004.

db	CEDRIC J BEAL,	6716 36TH ST,	TUSCALOOSA, AL	35401
jdb	CATHY L BEAL,	6716 36TH ST,	TUSCALOOSA, AL	35401
aty	JOHN E BOCKMAN,	2417 12TH STREET,	TUSCALOOSA, AL	35401
tr	C DAVID COTTINGHAM,	STANDING TRUSTEE,	1307 25TH AVE,	PO DRAWER 020588,
		TUSCALOOSA, AL	35402-0588	
446163	GMAC,	C/O SUSANNAH R WALKER,	PO BOX 55887,	BIRMINGHAM, AL 35255-5887
446162	GMAC MORTGAGE,	500 ENTERPRISE ROAD STE 150,	HORSHAM, PA	19044

The following entities were served by electronic transmission.

NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2004

Signature:

